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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/008,234

11/07/2001

Douglas F. Libra

00-348A

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05/04/2006

PATENT ADMINISTRATION  
INTELLECTUAL PROPERTY BUSINESS  
15460 LAGUNA CANYON ROAD  
MC 1650-7006  
IRVINE, CA 92618

EXAMINER

KRSCIUNAS, LINDA MARY

ART UNIT

PAPER NUMBER

3623

DATE MAILED: 05/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/008,234	LIBRA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Linda Krisciunas	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 07 April 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-8, 18-23 and 33-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 18-23 and 33-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. The following is a Non-Final Office Action in response to the amendment filed April 7, 2006. Claims 1-8, 18-23 and 33-35 are pending.

#### ***Response to Amendment***

2. The Examiner notes the update to the Specification with respect to listing the provisional application, and the objection is withdrawn.

#### ***Response to Arguments***

3. The Examiner deems the arguments moot in light of a new art rejection.

#### ***Claim Rejections - 35 USC § 101***

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 1-6 and 18-20 are rejected under 35 U.S.C. 101 because the claims are directed toward reducing the overall time required for task collaboration, yet do not teach a method of reducing the time.

Under the statutory requirement of 35 U.S.C. 101, a claimed invention must produce a useful, concrete and tangible result. For a claim to be useful, it must yield a result that is specific, substantial, and credible (MPEP 2107). A concrete result is one that is substantially repeatable, ie, it produces substantially the same result over and over again. In order to be tangible, a claimed invention must set forth a practical application that generates a real-world result, ie, the claim must be more than a mere abstraction. Additionally, a claim may not preempt abstract ideas, laws of nature or

natural phenomena nor may a claim preempt every substantial practical application of an abstract idea, law of nature or natural phenomena because it would in practical effect be a patent on the judicial exceptions themselves.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-6, 18-20 and 33-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Beaven et al (US 2004/0186762).

As per claims 1 and 18, Beaven teaches reducing the overall time to collaboratively perform a number of tasks which require collaborative action comprising: recording the collaborative actions into a database (paragraph 79, where a database is used to store plans, goals, resources, people and projects and Figure 28 depicts the view of a task.); displaying a status of the actions taken in each task and also viewing the status of the task, and each party may view the status of each task (See Figure 28, where the status is listed for the task, "off track" is listed for this task. See paragraph 51, where the system allows users to view the information in the database.).

As per claims 2 and 19, Beaven teaches ordering the actions into sequential steps (As noted in Figure 3, the goals are listed in a hierarchy with subtasks required to achieve the overall goal and the tasks are listed sequentially); and assigning an individual, group, machine or combination to perform each action (See Figure 21 where the owner or resource is listed for each task.).

As per claims 3 and 20, Beaven teaches designating the dates that the actions will be performed; and indicating the location where each action is to be performed (Figure 7 lists a due date for each task and the domain category would list the location within departments of the company where the task is being performed).

As per claim 4, Beaven teaches inputting the script into an electronic file (paragraph 79 teaches the use of a database for storing the task/project information. A database is an electronic storage medium and would require a script file, or list of commands, to process the data that is entered.).

As per claim 5, Beaven teaches displaying the status of the tasks by providing access to the status via the internet (paragraph 49 teaches the use of the internet for users of the system.).

As per claim 6, Beaven teaches indicating two or more tasks and whether part of one of the tasks has not started, is in work, or has been completed (Figure 21 teaches the status of each task where it can be listed as "needs attention", "completed" or "not started").

As per claim 33, Beaven teaches recording a plurality of tasks that are collaboratively performed where each task includes a series of actions; recording the

series of actions (paragraph 79, where a database is used to store plans, goals, resources, people and projects and Figure 28 depicts the view of a task); displaying a status of the actions taken in each task; providing immediate access to each party to allow viewing of the status of each task (See Figure 28, where the status is listed for the task, "off track" is listed for this task. See paragraph 51, where the system allows users to view the information in the database) thereby reducing the overall time required for the parties to perform the tasks (paragraph 63: "items are easily found and a user is allowed to see progress related issues before meetings, so that less time is needed to focus management meetings on substantive issues.").

As per claim 34, Beaven teaches ordering each of the actions into sequential steps (As noted in Figure 3, the goals are listed in a hierarchy with subtasks required to achieve the overall goal and the tasks are listed sequentially); assigning an individual, group, machine or combination to perform the actions (See Figure 21 where the owner or resource is listed for each task); designating the date that one or more of the actions will be performed and indicating the location where each action is to be performed (Figure 7 lists a due date for each task and the domain category would list the location within departments of the company where the task is being performed).

### ***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 7-8, 21-23 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beaven et al (US 2004/0186762) in view of Hughes et al (US 5,893,074).

As per claims 7, and 21-22 Beaven does not explicitly teach indicating the last action completed. Hughes teaches that it is known to indicate the last action completed within each of the tasks that are in work (column 4, lines 62-63: "access to accurate and timely status of each task" providing a status of the tasks implies that a list of completed actions would be provided as noted by column 9, lines 61-65: "If the product is completed, input data are supplied to the method stating that the product is reconciled at step 60. If the product is not completed, the appropriate state is input to the method at step 61. This state is updated in real-time."). Hughes is an analogous art as it also teaches about task management. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the task management system of Beaven with the last action completed feature of Hughes to provide a means for updating the user as to the status of where progress is with regard to the list of tasks.

As per claims 8 and 23, Beaven teaches displaying the total number of actions in each of the tasks (Figure 21 displays all the tasks associated with the goals); and displaying the percentage of the number of actions completed for each of the tasks (Figure 21 lists the status of all the tasks and which ones are complete.) Official notice is taken that listing a percentage of the ones completed in a simple math calculation and therefore would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the task system of Beaven to calculate a percentage value for the tasks that have been completed versus listing them only to provide a quick and easy means of determining project progress.

As per claim 35, Beaven teaches indicating two or more tasks and whether one is not started, is in work, or has been completed (Figure 21 teaches the status of each task where it can be listed as “needs attention”, “completed” or “not started”); displaying the total number of actions in each task (Figure 21 displays all the tasks associated with the goals). Beaven does not explicitly teach providing the last action completed. Hughes teaches that it is known to indicate the last action completed within each of the tasks that are in work (column 4, lines 62-63: “access to accurate and timely status of each task” providing a status of the tasks implies that a list of completed actions would be provided as noted by column 9, lines 61-65: “If the product is completed, input data are supplied to the method stating that the product is reconciled at step 60. If the product is not completed, the appropriate state is input to the method at step 61. This state is updated in real-time.); and displaying the percentage of the number of actions completed for each task (Figure 21 lists the status of all the tasks and which ones are complete.) Official notice is taken that listing a percentage of the ones completed in a simple math calculation and therefore would have been obvious to one of ordinary skill in the art at the time of the invention to modify the task system of Beaven to calculate a percentage value for the tasks that have been completed versus listing them only to provide a quick and easy means of determining project progress.). Hughes is an analogous art as it also teaches about task management. Therefore it would have been



obvious to one of ordinary skill in the art at the time of the invention to modify the task management system of Beaven with the last action completed feature of Hughes to provide a means for updating the user as to the status of where progress is with regard to the list of tasks.

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following art also teaches about collaborative project management: "Tools for online team collaboration" by Adnan, New Straits Times, November 6, 2000; "eRoom Technology: eRoom integrates with Microsoft Project 2000 to extend virtual project space across the enterprise", M2 Presswire, April 27, 2000; "Microsoft Project", Women in Business, Sept/Oct 2000; Page et al (US 6,370,562), Saito et al (US 6,578,006), Salas et al (US 6,233,600), Fredell et al (US 6,678,698), Navani et al (US 2002/0052769), and Cho et al (US 6,754,677).

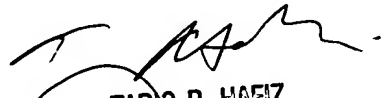
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linda Krisciunas whose telephone number is 571-272-6931. The examiner can normally be reached on Monday through Friday, 6:30 am to 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LMK

*LMK*  
*April 26, 2006*

  
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